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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/855,560	05/16/2001	Michael Bradley	US 1265/01	1511

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EXAMINER	
PILLAI, NAMITHA	
ART UNIT	**PAPER NUMBER**
2173	

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



Office Action Summary	Application No.	Applicant(s)	
	09/855,560	BRADLEY ET AL.	
	Examiner	Art Unit	
	Namitha Pillai	2173	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *30 July 2004*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

1. Claims 1-14 and 17-19 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by U. S. Patent No. 6, 449, 604 B1 (Hansen et al.), herein referred to as Hansen.

Referring to claim 1, Hansen discloses a method of displaying analytics about a website resident on a server computer (column 1, lines 10-12 and column 4, lines 32-34). Hansen discloses causing a browser program to be opened on the server computer with a first display frame and a second display frame immediately adjacent to the first display frame, wherein the first display frame comprises a page of the website (column 2, lines 62-67). Hansen discloses writing a unique first identifier in and to the page displayed in the first display frame with a first identifier and creating an interface call to a report server (column 5, lines 35-47). Hansen also discloses retrieving a report file corresponding to the first identifier from the report server (column 3, lines 28-36). Hansen discloses displaying the analytics in the report file in the second display frame (column 2, lines 62-65). Hansen also discloses after a pre-determined period of time, the report file comparing the page displayed in the first display frame with the first identifier and, (f) if different, repeating the method from step (b) for the page displayed in the

first display frame, or (g) if the same, resetting for a second of the pre-determined period of time and repeating the method from step (e) (column 9, lines 15-37).

Referring to claims 2 and 3, Hansen discloses that the analytics are gathered from technical specifications of visitors to the website (column 6, lines 4-20).

Referring to claims 4 and 9, Hansen discloses that the steps are carried out by a module launched from a reporting program resident on the server computer (column 4, lines 32-34).

Referring to claims 5 and 8, Hansen discloses that the steps are carried out by a module launched from a reporting program resident on the report server (column 4, lines 32-34).

Referring to claims 6 and 10, Hansen discloses that step b is carried out by starting an initializing file configured to tag the page displayed in the first display frame with the first identifier and create the interface call to the report server (column 5, lines 25-34).

Referring to claim 7, Hansen discloses a computer software product for configuring a computer to display analytics about a website resident on a server computer (column 1, lines 10-12 and column 4, lines 32-34). Hansen discloses launching an analytics module (column 5, lines 29-35). Hansen discloses causing a browser program to be opened on the server computer with a first display frame and a second display frame immediately adjacent to the first display frame, wherein the first display frame comprises a reproduction of a page of the website (column 2, lines 62-67). Hansen discloses writing a unique first identifier in and to the page displayed in the first display frame with a first identifier and creating an interface call to a report server (column 5, lines 35-47). Hansen discloses retrieving a report file corresponding to the first identifier from the report server (column 3, lines 28-36). Hansen also discloses displaying the analytics in the report file in the second display frame (column 2, lines 62-65). Hansen also discloses after a pre-

determined period of time, the report file comparing a page identifier of the page displayed in the first display frame with the first identifier and if different, repeating the method from step (c) for the page displayed in the first display frame in order to update the report to match the page currently displayed or if the same, resetting for a second if the pre-determined period of time and repeating the method from step (f) until the page identifier differs from the first identifier (column 3, lines 4-9 and column 9, lines 15-37).

Referring to claim 11, Hansen discloses that the identifier is a cookie stored in the browser program (column 8, lines 7-8).

Referring to claim 12, Hansen discloses that the initializing file is an HTML file (column 5, lines 25-34).

Referring to claim 13, Hansen discloses that the analytics are displayed in graphical format (column 6, lines 12-15).

Referring to claim 14, Hansen discloses that the analytics are displayed in tabular format (column 6, lines 17-19).

Referring to claim 17, Hansen discloses that the report server and the server computer are the same (column 4, lines 32-34).

Referring to claim 18, Hansen discloses that the interface call is carried out by a common gateway interface script (column 8, lines 18-20).

Referring to claim 19, Hansen discloses that the page identifier is the uniform resource locator of the web page (column 3, lines 29-36).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hansen. Referring to claims 15 and 16, Hansen does not disclose that pre-determined time is in the range of 0.1 seconds to 1 second or that the preferable time would be 0.5 seconds. It would have been obvious for one skilled in the art at the time of the invention to set the predetermined time within the range of 0.1 seconds to 1 seconds with a preference for 0.5 seconds. Hansen discloses a threshold value of T which may represent any value chosen by the developer of the system, wherein this T determines the predetermined time that is considered for changes to a website. Based on the need of the system and the users, the developer of the system would choose any value for the T, one of those values being within the range of 0.1 to 1 seconds with a preference for 0.5 seconds.

Response to Claim Changes

3. The Examiner acknowledges Applicant's amendments to claims 1 and 7 to better specify the present invention. However all claims are rejected under 35 U. S. C. 102 as being previously disclosed in a prior art.

Response to Arguments

4. Applicant's arguments filed 7/30/04 have been fully considered but they are not persuasive.

With respect to Applicant's arguments that Hansen does not teach that any page in that first display frame will carry its own unique identifier. The claims merely state that a unique identifier is used to represent each page, wherein the URL as is well known in the field of web development and disclosed in Hansen allow for a unique identification of the page. The purpose of the URL is to serve as an identifier of the page that the URL is pointing to. Applicant's arguments point to the use of .asp pages, wherein such information used in the arguments is not clearly stated in the independent claims. The claims as interpreted by the Examiner disclose merely website with pages that represent data.

With respect to Applicant's arguments that Hansen does not teach actively tagging. It is not clear based on the arguments that the feature of actively tagging is disclosed within the present claims. Furthermore, tagging is referred to the means by which the URL is used to tag the web pages, wherein these pages will be identified by its own unique URLs.

With respect to Applicant's arguments that Hansen does not disclose that the user cannot move within the website without Hansen adjusting to recognize the movement. The present claims does not state that the user is able to move within the website and wherein this movement will be recognized. The present claims as do Hansen disclose tracking the movements made by users in relation to web pages, wherein the information that is tracked is also displayed. The concept of synchronization is not disclosed within the claims, wherein the claims specifically step (e) refer to keeping track of information and keeping track of information that has changed based on changes in the displayed page but this does not disclose a synchronization process occurring between first and second display frames.

Conclusion

5. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, central FAX number (703) 872-9306 may be used. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed. Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document. Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (571) 272-4054. The examiner can normally be reached on 8:30 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
December 28, 2004

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